

REMARKS

I. Status of Claims

Claims 1-17 and 24-65 are pending. No amendments are made at this time.

II. Rejection of Nonstatutory Double Patenting

The Examiner has rejected claims 1-17 and 24-65 under the judicially created doctrine of obviousness-type double patenting as allegedly being “unpatentable over” claims 1-98 of U.S. Patent No. 6,602,303 (“the ‘303 patent”). Office Action at 2. Specifically, the Examiner states that the present application and the ‘303 patent “are not patentably distinct from each other because the claims of [the ‘303 patent] teach and disclose similar hair dyeing compositions comprising at least one oxidation base, at least one fatty alcohol and at least one cationic poly(vinylactum) polymer.” *Id.* at 3.

Applicants respectfully traverse. However, solely in an effort to advance prosecution, Applicants have filed concurrently herewith a Terminal Disclaimer over the ‘303 patent. Accordingly, Applicants respectfully submit that this rejection should be withdrawn as moot.

III. Conclusion

In view of the foregoing remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

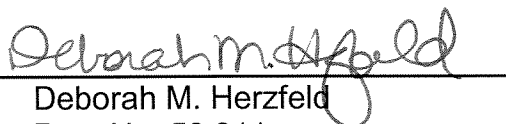
If the Examiner believes a telephone conference could be useful in resolving any of the outstanding issues, he is respectfully urged to contact Applicants' undersigned counsel at 202-408-4368.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: July 31, 2007

By: 
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Attachment: Terminal Disclaimer